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6 Honorable Ronald B. Leighton

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 THE ESTATE OF SEAN THOMAS  
10 MAKAROWSKY, by and through the  
personal representative of said estate,  
LOUISE GAST,

11 Plaintiff,

12 vs.

13 STEVE LOBDELL, individually and as City  
14 of Vancouver Police Officer; the CITY OF  
VANCOUVER, a Municipal Corporation,

15 Defendants.

No. C10-5423 RBL

ORDER GRANTING STIPULATED  
MOTION TO COMPEL  
WASHINGTON STATE PATROL TO  
PRODUCE TOXICOLOGY CASE FILE

16 This matter came before the Court on a stipulated motion filed by the parties to compel  
17 the Washington State Patrol (WSP) to produce the case file for Case No. ST0704910. In  
18 response to a unilateral request from Defendants, The WSP resisted, citing both RCW  
19 46.52.065 and RCW 68.50.105.

20 The Court has reviewed the parties' stipulated motion, and finds good cause to grant the  
21 motion and order WSP to produce the requested records. Accordingly, the parties stipulated  
22 motion is hereby **GRANTED**. WSP is ordered to produce a complete copy of all documents  
23 for Case No. ST0704910 and send it at the same time to the attorneys for the parties of record  
24 as follows:

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ORDER - 1  
(W.D. Wash. Cause No. C10-5423 RBL)

PATTERSON BUCHANAN  
FOBES LEITCH & KALZER, INC., P.S.

**FOR PLAINTIFF LOUISE GAST, Personal Representative for the Estate  
of Sean T. Makarowsky**

Mr. Beau D. Harlan  
Harlan Law Firm P.S  
211 E. McLoughlin Blvd.  
Vancouver, WA 98663

## **FOR DEFENDANTS STEVE LOBDELL & CITY OF VANCOUVER**

Mr. Daniel G. Lloyd  
Patterson Buchanan Fobes Leitch & Kalzer  
2112 Third Avenue, Ste. 500  
Seattle, WA 98121

Defendants are directed to deliver a copy of this order to the duly authorized representative of the WSP within five (5) days after entry of this order. Delivery may be by first class mail, or another manner of service equivalent to service of process under FRCP 4. The WSP shall produce said records within a reasonable time, not later than thirty (30) days receipt of this order. WSP may produce said records by first class mail.

**IT IS SO ORDERED.**

DATED this 1<sup>st</sup> day of May, 2012.

Ronald B. Lightner

Ronald B. Leighton  
United States District Judge

Presented by:

PATTERSON BUCHANAN  
FOBES LEITCH & KALZER, INC., P.S.

By: /s/ Daniel G. Lloyd  
Daniel G. Lloyd, WSBA No. 34221  
Of Attorneys for Defendants  
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**ORDER - 2**  
(W.D. Wash. Cause No. C10-5423 RBL)

PATTERSON BUCHANAN  
FOBES LEITCH & KALZER, INC., P.S.